



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/677,584	09/30/2000	Jay M. Short	DIVER1510-1

Lisa A. Haile  
Gray Cary Ware & Freidenrich LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189

## FORMALITIES LETTER



\*OC000000005594277\*

RECEIVED

DEC 11 2000

GRAYCARY/GT PATENT

Date Mailed: 12/04/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$114.
  - \$36 for 2 total claims over 20.
  - \$78 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 934.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

355.00 IP  
40.00 IP  
18.00 IP  
65.00 IP

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03/03/2001 HND001

01 FC201  
02 FC202  
03 FC203  
04 FC205



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PATENT  
Attorney Docket No.: DIVER1510-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jay M. Short Art Unit: 1632  
Application No.: 09/677,584 Examiner: Unassigned  
Filed: September 30, 2000  
Title: WHOLE CELL ENGINEERING BY MUTAGENIZING A  
SUBSTANTIAL PORTION OF A STARTING GENOME, COMBINING  
MUTATIONS, AND OPTIONALLY REPEATING

**BOX MISSING PARTS**  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Application mailed December 4, 2000,  
enclosed are:

1. A copy of the Notice to File Missing Parts of Application (1 page);
2. An executed Declaration For Patent Application (2 pages);
3. Power of Attorney by Assignee (2 pages);
4. Petition for Extension of Time (2 pages);
5. Check in the amount of \$923.00;
6. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, May 2, 2001, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Lucille M. Begalla	
Name of Person Mailing Paper	
Signature	5/2/01
	Date

In re Application of:  
Jay M. Short  
Application No.: 09/677,584  
Filed: September 30, 2000  
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PATENT  
Attorney Docket No.: DIVER1510-1

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Small Entity	Large Entity
Total Claims	22 -20	=	2	X	\$18	\$09	=	\$ .00	\$ 18.00
Independent Claims	4 -3	=	1	X	\$80	\$40	=	\$ .00	\$ 40.00
Multiple Dependent Claims Presented: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					\$270	\$135			\$ 0.00
					BASIC FEE			\$710.00	\$ 355.00
					TOTAL FEE			\$ .00	\$ 413.00

Enclosed is a check in the total amount of \$923.00; which consists of \$413.00 for the filing fee; \$445.00 for three (3) months extension of time and \$65.00 surcharge fee for missing parts of the application. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date:

5/2/01



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**USPTO Customer Number 28213**

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